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DEC 22 2006

Appl. No. 10/036,466
Amdt. Dated December 22, 2007
Reply to Final Office Action of November 1, 2006

REMARKS/ARGUMENTS

Claims 1-30 are pending in the present application.

This response is in response to the Final Office Action mailed November 1, 2006. In the Final Office Action, the Examiner rejected claims 1-30 under 35 U.S.C. §102(e). Reconsideration in light of the remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 102

In the Final Office Action, the Examiner rejected claims 1-30 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,065,587 issued to Huitema et al. ("Huitema"). Applicants respectfully traverse the rejection and submit that the Examiner has not met the burden of establishing a prima facie case of anticipation.

Huitema discloses a peer-to-peer name resolution protocol (PNRP) and multilevel cache for use therewith. In a Freenet network, a node looks up the nearest key in its routing table and forwards the request to the corresponding node (Huitema, col. 3, lines 17-19). Huitema improves the Freenet algorithm. Each node accumulates a routing table that contains a list of references to other nodes in the network (Huitema, col. 8, lines 45-46). When a node receives a query, it searches for the entry in its routing table whose key best matches the target, excluding the nodes that have already been visited (Huitema, col. 9, lines 5-8). A multi-level cache splits the routing table in two parts, one containing the entries whose keys are nearest to the local key, another containing entries selected at random (Huitema, col. 9, lines 65-67; col. 10, lines 1).

Huitema does not disclose, either expressly or inherently, at least one of (1) a cache of a current peer in a current ring at a current level to store information of ring peers within the current ring; (2) the current ring being part of an hierarchical ring structure of peer-to-peer (P2P) nodes; (3) the hierarchical ring structure having at least one of a lower level and an upper level; and (4) a peer locator coupled to the cache to locate a target peer in the cache in response to a request to search for the target peer.

First, Huitema merely discloses a peer-to-peer flat model, not a hierarchy ring structure of P2P nodes. The word "hierarchy" used in (Huitema, col. 9, lines 57-59) simply refers to the hierarchy of the knowledge, not the hierarchy of a ring structure. The node structure as

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disclosed by Huitema is flat (Huitema, col. 17, lines 34-37; Figure 7). All nodes belong to the same level.

Second, Huitema merely discloses splitting the routing cache into two parts, not splitting the node structure, therefore not proving levels in the ring structure. The cache contents only store either the nearest entries and random entries (Huitema, col. 9, lines 65-67; col. 10, line 1). Therefore, no hierarchical information about the ring structure is stored.

In the Office Action, the Examiner contends that the cache stores information of at least one of the first and second lower peers (Office Action, page 4, paragraph number 10). Applicants respectfully disagree. As discussed above, the multi-level cache contains only the nearest entries or the random entries. These entries correspond to flat peer-to-peer nodes, not hierarchical nodes. Accordingly, the cache does not and cannot store information of first and second lower peers.

The Examiner further contends that Huitema discloses a registrar (Office Action, page 4, paragraph 11). Applicants respectfully disagree. Huitema merely discloses adding new entries to the cache level (Huitema, col. 9, lines 1-2), not registering. Registering includes transmitting the information to either a lower or upper peer. In contrast, adding new entries does not involve a node transmitting the information.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Vergegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989). Since the Examiner failed to show that Huitema teaches or discloses any one of the above elements, the rejection under 35 U.S.C. §102 is improper.

Therefore, Applicants believe that independent claims 1, 11, and 21 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicants respectfully request the rejection under 35 U.S.C. §102(e) be withdrawn.

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Conclusion

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: December 22, 2007

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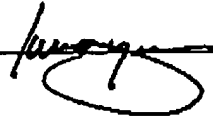
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